

BECKER & POLIAKOFF LLP

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Presentment Date: September 11, 2015 at 12:00 PM

Objection Date: September 8, 2015

Attorneys for Defendant Edwin Michalove

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-1789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC

Plaintiff,

v.

EDWIN MICHALOVE AND DANIEL M. POLIER,
JR.

Defendants.

Adv. Pro. No. 10-04786 (SMB)

**DECLARATION OF HELEN DAVIS CHAITMAN IN SUPPORT
OF AN APPLICATION ON CONSENT
FOR AN ORDER TO WITHDRAW AS COUNSEL**

I, Helen Davis Chaitman, hereby declare, under penalty of perjury pursuant to 28 U.S.C.
§1746, as follows:

1. I am a partner with Becker & Poliakoff LLP, counsel of record to Defendant Edwin Michalove, (the “BP Defendant”). I submit this declaration in support of an application for an Order pursuant to Rule 2090-1(e) of the Local Bankruptcy Rules of this Court: (1) authorizing Becker & Poliakoff LLP to withdraw as counsel to the BP Defendant; and (2) granting such other and further relief as the Court deems just and proper. Unless otherwise stated, the foregoing is based on my personal knowledge.

2. Counsel for the Trustee does not object to the relief requested herein.

3. The Trustee commenced this adversary proceeding against the BP Defendants on December 1, 2010 (the “Adversary Proceeding”).

4. After the Adversary Proceeding was commenced, the BP Defendant retained Becker & Poliakoff LLP to represent them herein.

5. On behalf of the BP Defendant in this Adversary Proceeding Peter W. Smith and I filed Notices of Appearance and Requests for Service of Papers on March 14, 2011 and March 11, 2015 (ECF Doc. Nos. 7 and 6) respectively.

6. I am unable to communicate with BP Defendant, who has not responded to any of my emails or phone calls.

7. The Adversary Proceeding will not be disrupted or unduly delayed as a result of this firm’s withdrawal as BP Defendant’s counsel.

8. Accordingly, cause exists to grant the application authorizing Becker & Poliakoff LLP to withdraw as counsel for the BP Defendant.

Dated: September 4, 2015
New York, New York

/s/ Helen Davis Chaitman